

EXHIBIT C

Delaware Court of Chancery**DE Court of Chancery - Statewide****CA4631-CC****Conf Order Hughes, Michael v. Pomeroy It Solutions Inc****The case was last updated by the court on Saturday, August 08, 2009**

Header

Case Number: CA4631-CC

Date Filed: 05/29/2009

Date Full Case Retrieved: 08/08/2009

Status: Active

Misc: Corporate Matters

[\[Summary\]](#) [\[Litigants\]](#) [\[Counsel\]](#) [\[Proceedings\]](#) [\[Schedule\]](#)**Summary**

Assigned To:

Date Assigned:

Dismissed By:

Litigants**Litigant Type**

Plaintiff
Defendant
Defendant
Defendant
Defendant
Defendant
Defendant
Defendant
Defendant
Defendant
Defendant

Litigant

Michael Hughes
David G Boucher
Desert Mountain Acquisition Co
Hebron LLC
Ronald E Krieg
David B Pomeroy II
Pomeroy It Solutions Inc
Richard S Press
Michael A Ruffolo
Jonathan Starr
Debra E Tibey

Counsel**Plaintiff**

Long, Brian D
Rigrodsky & Long PA
919 N Market St Ste 980
Wilmington DE 19801-

Defendant

Bracegirdle, Thad J
Wilks Lukoff & Bracegirdle LLC
1300 N Grant Ave Ste 100
Wilmington DE 19806-

Raju, Srinivas M

Richards Layton & Finger PA-Wilmington
920 N King St
Wilmington DE 19801-

Rohrbacher, Blake K
Richards Layton & Finger PA-Wilmington
920 N King St
Wilmington DE 19801-

Proceedings

#	Entry Date	Description
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1	05/29/2009	verified class action complaint
2	05/29/2009	affidavit and verification of michael hughes pursuant to court of chancery rules 23(aa) and 3(aa)
3	05/29/2009	supplemental information pursuant to rule 3(a) of the rules of the court of chancery
4	05/29/2009	letter to the register in chancery from brian d. long, esquire, requesting issuance of summons pursuant to court of chancery rule 4(c)
5	06/02/2009	fed ex summons to brian long esq. (2 org 10 copies)
6	06/17/2009	summons and affidavit of personal service from special process server re: pomeroy it solutions, inc.
7	06/17/2009	summons and affidavit of personal service from special process server re: hebron llc
8	06/17/2009	summons and affidavit of personal service from special process server re: desert mountain acquisition co.
9	06/17/2009	summons and affidavit of personal service from special process server re: david g. boucher, ronald e. krieg, david b. pomeroy, ii, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey
10	06/18/2009	letter to the register in chancery from brian d. long, esquire, enclosing copies of the complaint for mailing upon individual defendants
11	06/26/2009	register's certificate, letter, 3114 letters, copy summons, registered mail receipt
12	07/02/2009	notice of service of plaintiffs first request for the production of documents and things to all defendants
13	07/02/2009	certificate of service for the notice of service of plaintiffs first request for the production of documents and things to all defendants
14	07/08/2009	plaintiff's motion for preliminary injunction
15	07/08/2009	[proposed] order granting plaintiff's motion for preliminary injunction
16	07/08/2009	certificate of service for plaintiff's motion and [proposed] order for preliminary injunction
17	07/08/2009	plaintiff's motion for expedited proceedings
18	07/08/2009	unreported cases cited in plaintiff's motion for expedited proceedings
19	07/08/2009	[proposed] order granting plaintiff's motion for expedited proceedings
20	07/08/2009	certificate of service for plaintiff's motion and [proposed] order for expedited proceedings
21	07/08/2009	verified amended class action complaint
22	07/08/2009	certificate of service for verified amended class action complaint
23	07/08/2009	notice of filing an amended complaint
24	07/08/2009	exhibit a -- blackline comparing verified amended class action complaint to verified class action complaint
25	07/08/2009	certificate of service for notice of filing amended complaint
26	07/08/2009	plaintiff's affidavit and verification pursuant to court of chancery rules 23(aa) and 3(aa) for the amended verified class action complaint
27	07/08/2009	notice of entry of appearance of thad j. bracegirdle for defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey
28	07/08/2009	certificate of service of notice of entry of appearance of thad j. bracegirdle for defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey
29	07/09/2009	defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo,

- jonathan starr and debra e. tibey motion for admission pro hac vice of earle jay maiman
- 30 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr and debra e. tibey proposed order for motion for admission pro hac vice of earle jay maiman
- 31 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr and debra e. tibey certificate of service to motion for admission pro hac vice of earle jay maiman
- 32 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr and debra e. tibey certification to motion for admission pro hac vice of earle jay maiman
- 33 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey's motion for admission pro hac vice of diane m. goderre
- 34 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey's proposed order to motion for admission pro hac vice of diane m. goderre
- 35 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey's certificate of service to motion for admission pro hac vice of diane m. goderre
- 36 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey's certification to motion for admission pro hac vice of diane m. goderre
- 37 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey's motion for admission pro hac vice of anthony j. hornbach
- 38 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey's proposed order to motion for admission pro hac vice of anthony j. hornbach
- 39 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey's certificate of service to motion for admission pro hac vice of anthony j. hornbach
- 40 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey's certification to motion for admission pro hac vice of anthony j. hornbach
- 41 07/09/2009 granted (defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr and debra e. tibey proposed order for motion for admission pro hac vice of earle jay maiman)
- 42 07/09/2009 granted (defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey's proposed order to motion for admission pro hac vice of diane m. goderre)
- 43 07/09/2009 granted (defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey's proposed order to motion for admission pro hac vice of anthony j. hornbach)
- 44 07/13/2009 notice of appearance of srinivas m. raju and blake rohrbacher as counsel to david b. pomeroy, ii, desert mountain acquisition co. and hebron llc
- 45 07/13/2009 certificate of service of notice of appearance of srinivas m. raju and blake rohrbacher as counsel to defendants david b. pomeroy, ii, desert mountain acquisition co. and hebron llc
- 46 07/14/2009 plaintiff's notice of deposition of defendants debra e. tibey, david b. pomeroy, ii, and richard s. press
- 47 07/14/2009 certificate of service to plaintiff's notice of deposition of defendants debra e. tibey, david b. pomeroy, ii, and richard s. press
- 48 07/16/2009 motion for commission to obtain a subpoena duces tecum and ad testificandum directed to extension advisors, llc
- 49 07/16/2009 commission to obtain a subpoena duces tecum and ad testificandum directed to extension advisors, llc
- 50 07/16/2009 [proposed] order for commission to obtain a subpoena duces tecum and ad testificandum directed to extension advisors, llc
- 51 07/16/2009 schedule a to commission to obtain a subpoena duces tecum and ad testificandum directed to extension advisors, llc
- 52 07/16/2009 certificate of service for motion for commission to obtain a subpoena duces tecum and ad testificandum directed to extension advisors, llc
- 53 07/16/2009 motion for commission to obtain a subpoena duces tecum and ad testificandum directed to houlihan lokey howard & zukin capital, inc.
- 54 07/16/2009 commission to obtain a subpoena duces tecum and ad testificandum directed to houlihan lokey howard & zukin capital, inc.
- 55 07/16/2009 [proposed] order for commission to obtain a subpoena duces tecum and ad testificandum directed to houlihan lokey howard & zukin capital, inc.

- 56 07/16/2009 schedule a to commission to obtain a subpoena duces tecum and ad testificandum directed to houlihan lokey howard & zukin capital, inc.
- 57 07/16/2009 certificate of service for motion for commission to obtain a subpoena duces tecum and ad testificandum directed to houlihan lokey howard & zukin capital, inc.
- 58 07/16/2009 letter to hon. william b. chandler iii from thad j. bracegirdle enclosing stipulation and proposed order regarding expedited proceedings
- 59 07/16/2009 stipulation and proposed order regarding expedited proceedings
- 60 07/17/2009 stipulation and [proposed] order governing the production and exchange of confidential information
- 61 07/20/2009 granted (stipulation and proposed order regarding expedited proceedings)
- 62 07/20/2009 granted (stipulation and [proposed] order governing the production and exchange of confidential information)
- 63 07/28/2009 answer to verified amended class action complaint on behalf of defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr and debra e. tibey
- 64 07/28/2009 certificate of service for answer to verified amended class action complaint on behalf of defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr and debra e. tibey
- 65 07/28/2009 answer to verified amended class action complaint on behalf of defendants david b. pomeroy, ii, desert mountain acquisition co., and hebron llc
- 66 07/28/2009 certificate of service of answer to verified amended class action complaint on behalf of defendants david b. pomeroy, ii, desert mountain acquisition co., and hebron llc
- 67 08/04/2009 letter to the honorable william b. chandler, iii, re: motions for commission to obtain subpoenas duces tecum and ad testificandum directed to extension advisors, llc and houlihan lokey howard & zukin capital, inc.
- 68 08/04/2009 granted ([proposed] order for commission to obtain a subpoena duces tecum and ad testificandum directed to extension advisors, llc)
- 69 08/04/2009 granted ([proposed] order for commission to obtain a subpoena duces tecum and ad testificandum directed to houlihan lokey howard & zukin capital, inc.)
- 70 08/05/2009 motion for admission pro hac vice of michael s. jones to represent defendants david b. pomeroy, ii, desert mountain acquisition co. and hebron llc
- 71 08/05/2009 certification of michael s. jones supporting motion for admission pro hac vice to represent defendants david b. pomeroy, ii, desert mountain acquisition co. and hebron llc
- 72 08/05/2009 proposed order granting motion for admission pro hac vice of michael s. jones to represent defendants david b. pomeroy, ii, desert mountain acquisition co. and hebron llc
- 73 08/05/2009 certificate of service to motion for admission pro hac vice of michael s. jones to represent defendants david b. pomeroy, ii, desert mountain acquisition co. and hebron llc
- 74 08/05/2009 motion for admission pro hac vice of thomas a. prewitt to represent defendants david b. pomeroy, ii, desert mountain acquisition co. and hebron llc
- 75 08/05/2009 certification of thomas a. prewitt supporting motion for admission pro hac vice to represent defendants david b. pomeroy, ii, desert mountain acquisition co. and hebron llc
- 76 08/05/2009 proposed order granting motion for admission pro hac vice of thomas a. prewitt to represent defendants david b. pomeroy, ii, desert mountain acquisition co. and hebron llc
- 77 08/05/2009 certificate of service to motion for admission pro hac vice of thomas a. prewitt to represent defendants david b. pomeroy, ii, desert mountain acquisition co. and hebron llc
- 78 08/06/2009 granted (proposed order granting motion for admission pro hac vice of michael s. jones to represent defendants david b. pomeroy, ii, desert mountain acquisition co. and hebron llc)
- 79 08/06/2009 granted (proposed order granting motion for admission pro hac vice of thomas a. prewitt to represent defendants david b. pomeroy, ii, desert mountain acquisition co. and hebron llc)
- 80 08/07/2009 plaintiff's motion for voluntary dismissal
- 81 08/07/2009 exhibit a -- [proposed] order of dismissal
- 82 08/07/2009 exhibit b to plaintiff's motion for voluntary dismissal
- 83 08/07/2009 certificate of service for the motion and [proposed] order for voluntary dismissal
- 84 08/07/2009 granted (exhibit a -- [proposed] order of dismissal)

Schedule

No Information is Available for this case

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*** THIS DATA IS FOR INFORMATIONAL PURPOSES ONLY ***

Case History**HANNINEN, KENNETH VS. POMEROY IT SOLUTIONS, INC., , ET A****Case# 09-CI-01270**

County BOONE
Court CIRCUIT Court
Opening Judge HON. JAMES R. SCHRAND
Current Judge
Closing Judge

Page #

05/22/2009	Case Filed OTHER SELF-DEALING AND BREACH OF FIDUCIARY DUTY	
05/22/2009	Summons Filed - BOUCHER, DAVID @00000130771 G CERTIFIED MAIL 0414 4143 *CAROL?? B.*	
05/22/2009	Summons Filed - COOGAN, KEITH @00000130773 R CERTIFIED MAIL 0414 4150 SIGNED BY KEITH COOGAN	
05/22/2009	Summons Filed - KRIEG, RONALD @00000130775 E CERTIFIED MAIL 0414 4167 *SIGNATURE NOT LEGIBLE*	
05/22/2009	Summons Filed - POMEROY IT SOLUTIONS, INC., @00000130769 CERTIFIED MAIL 0414 4136 RTND NOT SRVD 5/27/09-N OT DELIVERABLE AS ADDRESSED	
05/22/2009	Summons Filed - PRESS, RICHARD @00000130777 S CERTIFIED MAIL 0414 4174 *SIGNED BY JEANIE PRESS *	
05/22/2009	Summons Filed - RUFFOLO, MICHAEL A @00000130779 CERTIFIED MAIL 0414 4181 *SIGNED BY MICHAEL RUFFOLO*	
05/22/2009	Summons Filed - TIBEY, DEBRA E @00000130781 CERTIFIED MAIL 0414 4198 - RTND NOT SRVD 8/4/09, UNCLAIMED	
05/22/2009	Document Filed COMPLAINT / PETITION AP JURY DEMAND	
05/22/2009	Summons Filed - DESERT MOUNTAIN ACQUISITION CO, @00000130785 CERTIFIED MAIL 0414 4211 STAMPED E.BUCKLEY CAUDIE	
05/22/2009	Summons Filed - HEBRON LLC, @00000130787 CERTIFIED MAIL 0414 4228 STAMPED E. BUCKLEY CAUDIE	

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CIRCUIT Court 09-CI-01270



County BOONE
 Court CIRCUIT Court
 Opening Judge HON. JAMES R. SCHRAND
 Current Judge
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05/22/2009	Summons Filed - POMEROY, II, DAVID B CERTIFIED MAIL 0414 4204 NOT SRVD-RTS NOT DELIVE RABLE AS ADDRESSED/UNABLE TO FORWA RD 5/27/09	@00000130783	
05/23/2009	Summons Served/Recalled - KRIEG, RONALD E CERTIFIED MAIL 0414 4167 *SIGNATURE NOT LEGIBLE*	@00000130775	
05/23/2009	Summons Served/Recalled - DESERT MOUNTAIN ACQUISITION CO, CERTIFIED MAIL 0414 4211 STAMPED E.BUCKLEY CAUDIE	@00000130785	
05/23/2009	Summons Served/Recalled - HEBRON LLC, CERTIFIED MAIL 0414 4228 STAMPED E. BUCKLEY CAUDIE	@00000130787	
05/26/2009	Summons Served/Recalled - BOUCHER, DAVID G CERTIFIED MAIL 0414 4143 *CAROL?? B.*	@00000130771	
05/26/2009	Summons Served/Recalled - COOGAN, KEITH R CERTIFIED MAIL 0414 4150 SIGNED BY KEITH COOGAN	@00000130773	
05/28/2009	Summons Filed - STARR, JONATHAN CERTIFIED MAIL 0415-4951 ALIAS SUMMONS *SIGNED BY JONATHAN STARR*	@00000131080	
06/01/2009	Summons Served/Recalled - PRESS, RICHARD S CERTIFIED MAIL 0414 4174 *SIGNED BY JEANIE PRESS *	@00000130777	
06/04/2009	Summons Filed - POMEROY, II, DAVID B CERTIFIED MAIL ALIAS-0415 5330 SRV@42475 N. 112TH ST. SCOTTSDALE AZ. 85262 CM RET UNSERVD ON 7-9-09 "UNCLMD"	@00000131521	
06/04/2009	Summons Filed - POMEROY II SOLUTIONS, INC., CERTIFIED MAIL ALIAS-0415 5354 SRV @ CT CORP SYSTEM	@00000131524	



Case# 09-CI-01270

County BOONE

Court CIRCUIT Court

Opening Judge HON. JAMES R. SCHRAND

Current Judge

Closing Judge

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06/05/2009 Summons Served/Recalled - @00000131524
 POMEROY IT SOLUTIONS, INC.,
 CERTIFIED MAIL
 ALIAS-0415 5354
 SRV @ CT CORP SYS TEM

06/10/2009 Document Filed
 ENTRY OF APPEARANCE
 AD
 OF THOMAS A. PREWITT FOR DAVID B. POMEROY II,
 HEBRON LLC, & DESERT MOUNTAIN ACQUISITION CO.

06/12/2009 Summons Served/Recalled - @00000130779
 RUFFOLO, MICHAEL A
 CERTIFIED MAIL
 0414 4181
 SIGNED BY MICHAEL RUFFOLO

06/12/2009 Document Filed
 ENTRY OF APPEARANCE
 AD
 OF EARLE JAY MAIMAN TO REPRESENT DEFENDANTS: POMEROY IT SOLUTIONS INC., DAVID
 BOUCHER, KEITH KOOGAN, RONALD KRIEG, RICHARD PRESS, MICHAEL RUFFOLO, JONATHAN STARR,
 DEBRA TIBEY

06/16/2009 Summons Served/Recalled - STARR, @00000131080
 JONATHAN
 CERTIFIED MAIL
 0415-4951 ALIAS SUMMONS
 SIGNED BY JONATHAN STARR

07/09/2009 Motion Filed
 MOTION FOR TEMPORARY INJUNCTION
 ATTORNEY FOR PLAINTIFF

07/09/2009 Motion Filed
 MOTION - OTHER
 ATTORNEY FOR PLAINTIFF
 FOR EXPEDITED DISCOVERY AND AN ADVANCED HEARING ON PLAINTIFF'S MOTION FOR TEMPORARY
 INJUNCTION

07/10/2009 Document Filed
 MISCELLANEOUS
 AP
 VERIFIED AMENDED CLASS ACTION COMPLAINT BASED UPON SELF DEALING AND BREACH OF
 FIDUCIARY DUTY

07/13/2009 Document Filed
 NOTICE - OTHER
 AD
 MOTION FOR STAY OF PROCEEDINGS BY DEFENDANTS POMEROY IT SOLUTIONS INC. DAVID G BOUCHER
 KEITH R COOGAN, RONALD E KRIEG RICHARDS PRESS MICHAEL A RUFFOLO, JONATHAN STARR AND
 DEBRA TIBEY

07/14/2009 Scheduled Event Jul 14 2009 at 09:00 AM
 MOTION HOUR
 HON. JAMES R. SCHRAND



County BOONE
Court CIRCUIT Court
Opening Judge HON. JAMES R. SCHRAND
Current Judge
Closing Judge

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07/15/2009 Document Filed
ORDER - OTHER
JUD
PLAINTIFF HAS UNTIL 7/17/09 TO RESPOND, DEF. HAS UNTIL 7/21/09 TO REPLY
HEARING IS SET ON DEF.'S MOTION TO STAY PROCEEDINGS ON 7/23/09 @2PM

07/15/2009 NOE to All Counsel of Record and
Parties Not Represented by Counsel.
ORDER - OTHER
FIRST CLASS MAIL
PLAINTIFF HAS UNTIL 7/17/09 TO RESPOND, DEF. HAS UNTIL 7/21/09 TO REPLY
HEARING IS SET ON DEF.'S MOTION TO STAY PROCEEDINGS ON 7/23/09 @2PM

07/17/2009 Document Filed
RESPONSE
AP
IN OPPOSITION TO DEFENDANT'S MOTION TO STAY

07/21/2009 Document Filed
REPLY
AP
REPLY MEMORANDUM IN SUPPORT OF MOTION FOR STAY OF PROCEEDINGS

07/23/2009 Scheduled Event Jul 23 2009 at 2:00 PM
OTHER HEARING
HON. JAMES R. SCHRAND
ON DEF.'S MOTION TO STAY PROCEEDINGS

07/23/2009 Document Filed
NOTICE OF FILING
AP
MOTION FOR ADMISSION PRO HAC VICE OF CULLIN A. O'BRIAN

07/23/2009 Document Filed
NOTICE OF FILING
AP
MOTION FOR ADMISSION PRO HAC VICE OF JONATHAN M. STEIN

07/24/2009 Document Filed
ORDER FOR APPEARANCE PRO HAC VICE
JUD
CULLIN O'BRIEN ON BEHALF OF PLAINTIFF

07/24/2009 NOE to All Counsel of Record and
Parties Not Represented by Counsel.
ORDER FOR APPEARANCE PRO HAC VICE
FIRST CLASS MAIL
CULLIN O'BRIEN ON BEHALF OF PLAINTIFF

07/24/2009 Document Filed
ORDER FOR APPEARANCE PRO HAC VICE
JUD
OF JONATHAN M. STEIN ON BEHALF OF PLAINTIFF

07/24/2009 NOE to All Counsel of Record and
Parties Not Represented by Counsel.
ORDER FOR APPEARANCE PRO HAC VICE
FIRST CLASS MAIL
OF JONATHAN M. STEIN ON BEHALF OF PLAINTIFF

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CIRCUIT Court 09-CI-01270

HANNINEN, KENNETH VS. POMEROY IT SOLUTIONS, INC., .ET A

Case# 09-CI-01270

County BOONE

Court CIRCUIT Court

Opening Judge HON. JAMES R. SCHRAND

Current Judge

Closing Judge

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07/27/2009	Document Filed ORDER OVERRULING JUD <i>DEFENDANT'S MOTION TO STAY PROCEED INGS</i>	
07/27/2009	NOE to All Counsel of Record and Parties Not Represented by Counsel. ORDER OVERRULING FIRST CLASS MAIL <i>DEFENDANT'S MOTION TO STAY PROCEED INGS</i>	
07/27/2009	Document Filed NOTICE - OTHER AP <i>NOTICE OF SUPPLEMENTAL AUTHORITY</i>	
07/28/2009	Document Filed RESPONSE AP <i>TO NOTICE OF SUPPLEMENTAL AUTHORITY</i>	